

Is Justice for Sale in Ghana?

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Abstract:-The materials in this article dates back to 1990 when Ghana was only 33years as an independent nation. However, at 62 years, the prevailing situations in the country has not changed significantly from what it was about 30 years ago. A lot of the issues encountered in those days are still present with us. Some of the issues that the country is currently battling with are corruption, nepotism, cronyism favouritism, injustice and underdevelopment. The promised land envisaged by Osagyefo Dr. Kwame Nkrumah and subsequent leaders are yet to be attained. In this article, the writer re-visits the dreams of the leaders in terms of the definition of justice and the practice of justice prevailing then and now and comes to the conclusion that there is still much to be desire if Ghana is to attain the vision of freedom and justice envisaged for the people of Ghana in the twenty-first century. The perception among many Ghanaians is that the country as a whole is corrupt with corrupt and unjust leaders beginning from the Executive, Judiciary, Parliament and the ordinary citizen. Thus, many resort to instant justice instead of going to the court because they believe the judicial system favours the strong and the rich at the expense of the weak and the poor.

The writer is of the view that the majority of the citizenry should have access to legal aid and extrajudicial dispute resolution mechanisms; fast-track adjudication of justice and removal of all bottlenecks to the administration of justice.

Key words: Justice, Peace, Freedom, Injustice, corruption.

I. INTRODUCTION

The materials in this article dates back to 1990. However, as I reflect on current happenings in Ghana, I find it relevant even as I write today, because the prevailing situation almost three decades ago, is still present in our society. Injustice and corruption in high places are the order of the day. Never would a day pass by without a news headline of one scandal of corruption, abuse of power, conflict of interest or injustice of various forms in the radio waves television and the print media. Governments since independence from the British rule on 6th March 1957 through the revolutionary days of the AFRC/PNDC till the 4th Republic Constitutional era have declared war against corruption and injustice but have they succeeded in curbing the cankers?

II. STATEMENT OF THE PROBLEM

When the Gold Coast (now Ghana), obtained independence from British colonial rule on 6th March 1957, the motto “freedom and justice” was indelibly printed in the coat of arms of the Republic of Ghana. However, after 62 years of independence, the question that comes to the mind of many Ghanaians today is: “is there anything like justice in Ghana?” Is Justice for sale in Ghana? Is justice in Ghana for the weak

or the strong, the rich or the poor? For example, a correspondent of the West Africa Magazine in 1989 said:

“Twenty-eight years after independence, political stability and social justice seem to us like a mirage, we are still being denied the inherent and inalienable right of deciding for ourselves.”¹

Similarly, Flt. Lt. J. J. Rawlings promised on 4th June, 1979 that

Justice which has been denied to the Ghanaian worker will have to take place...some of us have suffered for far too long! There can be no peace where there is no justice and there will be no justice unless everyone could be made to answer for his conduct.”²

Moreover, a correspondent said that at independence, Osagyefo Dr. Kwame Nkrumah declared “Freedom and Justice.” But it looks as if all we are experiencing is Freedom. Where is justice? At the work place the man who stands for truth and hates discrimination is the one who is most despised and derided. These days when you are in trouble through no fault of yours, how do you obtain justice?”³

III. OBJECTIVE

The objective of this article is to delve into the concept of justice and to bring into light what the term “justice” means to the ordinary Ghanaian, instances and applications of justice and injustice as seeing in the Ghanaian society and to unfold the authentic meaning of justice that should prevail at all times in all societies

The article defines the term “justice” and its various ramifications as used in the Ghanaian context. The aim of this article is not to write about “peace” however as Falope Canon John rightly said; “justice and peace are inseparable.”⁴ Therefore, it might be very difficult to write about justice without making any reference to peace. Thus the word peace will appear from time to time in this write-up.

¹Correspondent, “Ghana Students Union set another show down” in West Africa (London:20th May, 1989), 993

²Nii Bentsi-Enchil, “The Storm of June 4th” in West Africa (London:12-18 June 1989), 952

³ Correspondent, Weekly Spectator (Accra: 23 September, 1989 No. 1024), 6

⁴Falope Canon John, Justice and Peace in Nigeria (Ibadan: Daystar Press, 1970), 8

IV. THE CONCEPT OR DEFINITION OF JUSTICE IN ASANTE (TWI) LANGUAGE

The concept of justice is difficult to define in Asante (Twi) language but it is evident in their proverbs, prayers, customs and institutions. In fact, the Asantes eat and drink justly. Some of the words or phrases used to denote justice among the Asantes include: “tenenee” (righteousness); “pepeye” (justice); “kyefa” (fairness); “kye no pe” (fair dealings or give to each one his/her due); “atentenee” (right judgment and so on.

On the other hand, some words and phrases used to denote injustice include: “kwaseabuo” (injustice; cheating, unfairness; partiality – taking away what is due to another person); “amim,” “apoo,” “asisie,” means almost the same as “kwaseabuo”; “ntenkyea” (crooked or unjust judgment). The Asantes often say, “fa dee obiara die ma no” (give to each person what is his/her due”) or let the good things of the earth reach all. In a similar way, the Igbos of Eastern Nigeria say, “let the kite perch and let the eagle perch too, if one says no to the other, let his wing break.”⁵

From the above analyses, it is clear that the notion of justice in Asante (Twi) language includes fairness; give-and-take; live and let live; the principle of retribution; a proper respect for others’ rights and dignity, a proper proportion or relationship between individuals; righteousness and right judgment is a form of social justice which the contrary, i.e. cheating and favouritism is a form of injustice under normal circumstances.

IV. CLASSIFICATIONS OF JUSTICE

Justice remains justice wherever it is used except that its interpretation may vary from one place to the other depending on the understanding a particular group of people attach to it, i.e. their rights and dues. However, it is generally accepted that the deprivation of a person’s rights and dues is injustice and the contrary is justice. Thus, it is just to restore and unjust to deprive another person of his or her rights and dues.

i. *Commutative justice*

Everyone must in justice strive for a fair standard of giving as well as receiving. Thus, to break an engagement willingly is an injustice. People who make private agreement or contract must keep them. Both parties must do what they both agreed upon to do. Thus, a respondent said, “a farmer agrees to sell good quality grain to a trader at a definite price. If the farmer gives the trader the good quality grain and the trader pays the agreed price, then there is commutative justice.”

ii. *Distributive justice*

Distributive justice means equitable distribution of resources. It regulates rewards, status, burdens and punishments impartially, and with no respect of personages. Distributive justice preserves and protects individual’s basic rights. A

respondent said, “Distributive justice demands that all citizens be given a right to participate in, or take an active part in society.” It also ensures that the resources of the earth or a particular area are used to satisfy the needs of all.

iii. *Contributive justice*

A respondent answered that “contributive justice obliges all to work for the general well-being in the society through communal labour, and to pay their due income tax, property tax and development levies.

iv. *Retributive justice*

As the name implies, a respondent said, “Retributive justice is used for correction, restoration and restitution of offences with the fundamental penalties laid down.” It prudently restores violated justice by means of proportionate punishments to the guilty. The objective of retributive justice is to correct the culprit and deter others from committing the same offence.

v. *Social justice*

By social justice, rulers are expected to provide citizens with the basic necessities of life, basic human rights and protection.

V. APPLICATIONS OF JUSTICE IN GHANA

By the principle of justice, each person is expected to be just in his/her dealings with another and uphold one another’s God-given and inalienable rights. These include the right to respect and to be respected; to elect and be elected for any position if and only if a person is eligible. An individual is entitled to his/her natural rights to property of every kind as a member of society and is bound to do likewise towards his/her neighbour. This was supported by Hebermann when he said, “every individual has his rights which must be respected and no one is justified to deny him.”⁶ In the same way, “the rights which belong to every human being in as much as he is a person are absolute and inalienable. The right to life, and limbs, the essential freedom which is necessary that a man may attain the end for which he is destined by God.”⁷

In the good old days, justice was dispensed fairly, practiced and enforced among the citizens of Ghana among Traditional societies. However, since the European incursions into Ghana in the beginning of the 18th century until now, justice has become a much misunderstood and forgotten concept and in practice much neglected and abused. Justice is no longer obtained by a great majority of people.

Apart from the negative impact of the European colonial rule, the Trans-Atlantic Slave Trade and the looting of the rich mineral resources of most parts of Ghana, modern day Ghanaians have inherited and perpetuate injustice among themselves and to their own brothers and sisters wherever and whenever the opportunity comes their way.

⁵ Chinua Achebe, *Things Fall Apart*, (London: Heinemann Educational Books Ltd., 1977), 17-18

⁶ Hebermann G. Charles, et. al. *The Catholic Encyclopaedia* vol. VIII (NY: Appleton Co., 1910), 573

⁷ Hebermann, 573

VI. GHANA'S COLONIAL EXPERIENCE

According to Byrne, justice “essentially means that all people are treated with the dignity and honour given to them by God: Injustice essentially means that people are deprived of their dignity and honour.”⁸ Moreover, to live according to their dignity people also need freedom of thought; freedom of movement; freedom of religion; freedom of association; political freedom; freedom from arrest without trial; etc.⁹ Each person has the right to the basic necessities of life. These rights are the basic human rights. Thus, it is a very serious breach of justice when people are deprived of that dignity, right and honour.

The Europeans, particularly the British, it has been noted, stood for all the evils and injustice of colonialism in Ghana, and little or none of the good. They took but did not give. They “milked” Ghana “as dry as a dead cow” – a bone or dust.¹⁰ They bequeathed her nothing but guarantee of economic disaster and sabotage.¹¹

Consequently, with awakened minds and developed intellects, Ghanaians have discerned the centuries injustice that had been done to their beloved nation and raised their voices against the prevailed deprivation of human rights, exploitation, oppression and humiliation everywhere in Ghana.

Again, during the European slave trade, Europeans encouraged local chiefs to wage war against each other so that they could buy the men captured in the war.¹² Thus, like gold, timber and cocoa, they were in every respect the property of Europeans to be used as their whims and caprices dictated. The basic rights and dignity of the people were denied.

Another evil effect and gross injustice to Asantes (Ghanaians) was in the area of trade imbalance. This was how Sarpong described the situation about thirty years ago - The Asantehene had a minority share in the gold mines in Ashanti. Majority of these went to the British Companies. He observed that “one can also point out the injustice being committed by these mining corporations in not caring much about the conditions in which the people lived.”¹³ He lamented that the gold mine at Obuasi (Ghana), the largest single one in the world, with the best quality gold, were it to be produced at maximum capacity, namely about 50,000 fine ounces a week, would still be enough in that one mine to be exploited for the next 740 years. However, the living conditions in Obuasi (Ghana), a town created for the gold mine has been observed

to be relatively appalling.¹⁴ This was his observation about Obuasi (Ghana),

...Obuasi, a town literally created for the gold mine, has one of the worst street networks in the whole of Ghana; the housing there is poor; the water is bad. Until the Catholic Church built a Secondary School there about ten years ago, there was only one Technical/Secondary School in that town of more than 50,000 inhabitants, most of whom are either working in the mines or related to workers at the mine.¹⁵

In a similar vein he observed,

The gold mine in Konongo is situated in an area where bilharzia is like an epidemic. When its colonial owners were asked to do something about the bilharzia, they retorted that they had come to mine and not to run hospitals.¹⁶

To make matters worse, the missionaries took the side of their compatriots. Sarpong had no doubt saying, “In those days the white man, whether he was an invader or slaver or missionary or colonialist, came to Ashanti (Ghana) in order to exploit and convert. Each came to serve himself or his God, not the Asante.”¹⁷ For instance, Christianity in Ashanti (Ghana) has been identified with many instances of injustice. As an illustration Sarpong said,

In 1880, the first Catholic missionaries came to Ashanti. In 1896, in yet another war, the king of Ashanti was taken to Elmina on the coast for four years before being shipped off with his men of valour and nobility to the Seychelles Islands in the Indian Ocean where they were kept for 24 years.¹⁸

Here again is an example of denial of basic human rights. Hence Sarpong said,

Catholicism was planted in an atmosphere of dubious acceptability. The manure and water used to help the Christian seed to germinate was injustice. It is not surprising, therefore, that injustice has been the crop that we are reaping now. Dirty corruption is found in high places, among peace officers, chiefs, civil servants, teachers and so on.¹⁹

Thus, “it is on the basis of all these reasons that”, Sarpong said, “the relevance of Christianity is being challenged by

⁸ Tony Byrne, *Working for Justice and Peace*, (Ndola-Zambia: Mission Press, 1988), 5

⁹ Tony Byrne, *Working for Justice and Peace*, 7-8

¹⁰ David Lamb, *The African* (1985) in Sarpong, *Justice and Development in Africa* (London: CAFOD Oval Printshop, 1988), 4

¹¹ David Lamb,

¹²F. K. Buah. *An Elementary History for Schools, Book 4*, (London: Macmillan Educational Ltd., 1967), 22

¹³ Peter K. Sarpong, *Towards Colonial Freedom* (London: Panaf Books Ltd., 1962), 18

¹⁴ Sarpong, *Towards Colonial Freedom*, 23

¹⁵ Sarpong, *Towards Colonial Freedom*, 23-24

¹⁶ Sarpong, *Towards Colonial Freedom*, 23

¹⁷ Peter K. Sarpong, *Justice and Development in Africa* (London: CAFOD Oval Printshop, 1988), 27

¹⁸Sarpong, *Justice and Development in Africa*, 27

¹⁹ Sarpong, *Justice and Development in Africa*, 27

many enlightened elements.”²⁰ Thus, if in Christianity we see injustice, violence, destitution, oppression, hatred, division, cruelty, and so on, then the message of Christ is either vitiated or it has not been well understood.²¹ If we see Christians leading lives contradictory to the message of Christ, then what do they stand for? Unfortunately, Sarpong said, “most of these injustices are being perpetrated by Christians, many of whom have been to Christian schools and many of whom are still professing their Christianity.”²² It was in view of these sentiments expressed by Sarpong that the Catholic Bishops of Africa declared in their final document of their meeting held in Younde, Cameroon in July 1981 thus, “A Church is not yet fully rooted among a people if it does not try to establish justice and accomplish its works.”²³ Similarly, they said, “every time that man is the victim of injustice and oppression, it is Christ himself who is wounded: I am Jesus, the one you are persecuting.”²⁴ The Bishops added, “Corruption of every kind is destroying moral standards; for example, we see the embezzlement of public funds, or the refusal to perform freely those services that are due in hospitals and elsewhere...”²⁵

Furthermore, the Bishop asked, “In this world which is so disfigured by injustices, have Christians understood that their faith call for a different kind of behaviour? Have they grasped the fact that works of justice are part and parcel of the Christian ethics they profess?”²⁶

VII. JUSTICE IN THE OLD AND NEW TESTAMENTS (SCRIPTURES)

Justice and peace with all their intricacies are still problems of everyday life in Ghana. All too soon many people have forgotten that “there can be no peace where justice is denied.”²⁷ This view was supported by Byrne when he said, “In the Old Testament we read that injustice causes trouble and confusion in society. On the other hand, justice brings peace and harmony.”²⁸ Similarly, John Paul II said, “a society that is not socially just and does not intend to be, puts its own future in danger.”²⁹ Furthermore, the book of Job says that when people act justly there is peace and harmony with workers (Job 31:13). In the same vein, People who are just live at peace with their neighbours and are a joy to their family (Job 31:1-12; Proverbs 23:24).

The Prophet Isaiah emphasizes the connection between justice and peace: “...violence is their method. They know nothing of the way of peace; there is no justice in their paths and no one who follows them knows any peace” (Isaiah 59:6-8). Similarly, he stressed on the kind of fast that pleases God as follows: “is not this the sort of fast that pleases me... To break unjust fetters... To let the oppressed go free...?(Is. 58:5-8).

The Prophet Amos also tells those who do not practice justice that Yahweh does not accept their worship and sacrifices. “I (Yahweh) hate and despise your feasts, I take no pleasure in your solemn festivals ...But let justice flow like water, and integrity like an unfailing stream (Amos 5:21-24).

In the New Testament, Jesus stresses on the importance of justice and peace. In his sermon on the mount he said, “Happy are those who hunger and thirst for what is right” (Mt. 5:6). In another passage he said, “seek first the kingdom of God and his justice” (Mt. 6:33). Furthermore, he said, “Happy are the peacemakers” (Mt 5:9). According to Byrne, “a peacemaker is one who not only loves peace but one who tries to make peace. To be a peace maker one has to promote justice. Without justice there can be no peace.”³⁰

Jesus criticized the Scribes and the Pharisees because they did not promote justice, mercy and faith. Jesus said in the Gospel of Matthew, “...You who pay your tithe of mint and dill and cumin and have neglected the weightier matters of the law – justice, mercy, good faith! These you should have practiced, without neglecting the others” (Mt. 23:23).

In recent times, many scholars and Christians have spoken and written extensively about justice and peace. Pope Paul VI was the first Pope in history to establish the Justice and Peace Commission in Rome in order to “awaken in the people of God full awareness of their mission today and to further the progress of poorer nations and international social justice.”³¹ John Canon Falope observed that “since God’s peace can never be where justice is disregarded, every Christian in this land must be clear in his mind what justice is.”³² He maintained that the fundamental truth that justice and peace are inseparable must be emphasized. This is because as Eugene Carson Blake said, “...true peace and unity can be built only on a foundation of justice and mutual love.”³³ Thus, he declared,

Justice means the establishment of the disadvantaged in the full rights and possibilities of their humanity. The establishment of peace through justice is never a finished task...it must be worked for realistically and with hope amid the conflicts of our time. It is the task of peacemakers to

²⁰ Sarpong, *Justice and Development in Africa*, 27

²¹ Sarpong, *Justice and Development in Africa*, 30

²² Sarpong, *Justice and Development in Africa*, 26

²³ AMECA document Service, African Catholic Bishops Issue *Programme for Justice 29/10/81*

²⁴ AMECA document Service, African Catholic Bishops Issue *Programme for Justice 29/10/81*

²⁵ AMECA document Service, African Catholic Bishops Issue *Programme for Justice 29/10/81*

²⁶ AMECA document Service, African Catholic Bishops Issue *Programme for Justice 29/10/81*

²⁷ Falope Canon John, *Justice and Peace in Nigeria* (Ibadan: Daystar Press, 1970), 8

²⁸ Byrne, *Working for Justice and Peace*, 8

²⁹ Byrne, *Working for Justice and Peace*, 8

³⁰ Byrne, *Working for Justice and Peace*, 10

³¹ Sarpong, *Justice and Development in Africa*, 3

³² Falope Canon John, *Justice and Peace in Nigeria*, 7

³³ Eugene Carson Blake, An Address in *Justice and Peace in Nigeria*, 15

make the cause of those denied justice their own and to help them to their rights.³⁴

The 15th Assembly of Christian Council of Nigeria resolved:

Justice is not merely adjudication between right and wrong; it involves the upholding of the human rights of every citizen...There can be no real peace as long as justice is denied to any group or any person.³⁵

Therefore, it was not surprising that the Asantes in Ghana were always ready to fight against injustice and trade imbalances with the coastal dwellers and the British. They said, "We will not allow the coastal people to make large profits at our expense, we shall fight them."³⁶ The Asantes waged war against them, conquered them and consequently had direct trade with the Europeans, "and received more for their goods."³⁷ In their efforts to receive justice, the Asantes were always ready to fight, even if it meant shedding their blood for it. Nana Tweneboah Kodua, Kumawuhene, "volunteered himself to be immolated"³⁸ as a sacrifice to appease the gods and ancestors; and to ask for victory in their war against the Denkyiras who denied them their rights to justice. Even when their capital, Kumasi, was burnt down by the British in 1874, in an attempt to subdue the "stubborn" Asantes, the latter were not deterred from insisting on their rights and from refusing to succumb to any external aggressor, however, powerful they were.

Unfortunately, the Asantes who were fighting for their rights came to be known and described by the Europeans as "war-mongering and blood-thirsty savages of the jungles of West Africa."³⁹ Hence Sarpong argued, "The war-mongers and bloodthirsty savages were not those who had travelled thousands of miles to terrorize the Asantes. They were the Asantes who were determined to keep their dignity."⁴⁰ The Asantes engaged the British in series of wars because of some injustices meted out to them. One of them was the Yaa Asantewaa war of 1900.⁴¹

VIII. THE TRADITIONAL JUSTICE SYSTEM IN GHANA

The Chieftaincy Act of 1970 (Act 370) regulates chieftaincy in Ghana and sets up the traditional councils, as well as regional and national houses of chiefs. The National House of Chiefs, the regional houses of chiefs, and traditional councils each have judicial committees, with authority to determine disputes affecting chieftaincy.⁴² In practice, chiefs and

traditional rulers have even expanded their jurisdiction beyond chieftaincy disputes to family and property matters, including divorce, child custody, and land disputes. The 1992 Constitution, Article 270 guarantees the Chieftaincy Institution. Unfortunately, however, the Chieftaincy institutions are also saddled with delays, corruption and injustices.

IX. JUSTICE IN GHANA TODAY

The freedom and justice promised us at independence has turned into a nightmare. Most of our post-independence leaders have become corrupt, inept, power drunk, oppressive, unjust and discriminatory. The words injustice, bribery and corruption, nepotism are common everyday vocabularies in Ghana. Fundamental human rights are flaunted everywhere and it is treacherous to criticize any leader since those who raise their voices against unjust policies and human rights abuses are insulted, intimidated and sometimes threatened with jail terms. This is what Sarpong had to say,

During the agitation for independence, Kwame Nkrumah and his followers promised heaven for Ghana. In fact, the blessings that we anticipated have turned out to be an illusion. The pre-independence Ghanaian appears to have been far happier than his brother of post-independence Ghana. Ghana has experienced a type of bribery and corruption, repression, deceit and favouritism that can only be experienced to be believed.⁴³

Comparing the Asantes of old and the Asantes of modern time Sarpong said,

One consequently is not saying that in the good old days there were no thefts or murders or indeed rapes. These things are human aberrations found everywhere at all times and in any culture. But vices have taken on frightening dimensions in the Asante of today. Bribery and corruption are becoming institutionalized. One who can cheat and does not cheat is regarded as a fool. If money were hidden under the skin of a brother, one would not have any qualms of conscience in flaying the brother in order to reach the gold.⁴⁴

He added,

The injustice that used to be the exception in the past has now become the rule. Christian priests have been forced by sheer necessity to give bribes in order to be able to do what they want to do for the people...Dirty

³⁴ Eugene Carson Blake, An Address in *Justice and Peace in Nigeria*, 15

³⁵ Eugene Carson Blake, An Address in *Justice and Peace in Nigeria*, 17

³⁶ F. K. Buah, *An Elementary History for Schools, Book 4*, 68

³⁷ F. K. Buah, *An Elementary History for Schools, Book 4*, 68

³⁸ Sarpong, *Justice and Development*, 23

³⁹ Peter K. Sarpong, *Essays on the University Student and other Topics* (Kumasi: Educational Press, 1982), 18

⁴⁰ Sarpong, *Justice and Development*, 27

⁴¹ F. K. Buah, *An Elementary History for Schools, Book 4*, 99

⁴² Kwadwo Appiagyei-Atua, "Ghana – Justice Sector and the Rule of Law" (Johannesburg: The Open Society Initiative for West Africa, 2007). accessed on 26/8/19. [cf. Constitution of the Republic of Ghana, Articles 273-274]

⁴³ Sarpong, *Justice and Development*, 18

⁴⁴ Sarpong, *Justice and Development*, 26

corruption; bribery is found among peace officers, chiefs, civil servants, teachers, etc. These crimes were unthinkable among the Asantes of old.⁴⁵

The situation described below by Thaddaeus in Nigeria is also found in Ghana.

Today justice is mostly denied to the poor and the less privileged people in our society. They are denied their legal rights simply because of poverty. However, the rich or wealthy exploit their wealth do deprive the less privileged people their justice.⁴⁶

In Ghana today, equality before the law has turned out to be “the interest of the stronger. The stronger has consistently won in all or almost all matters of justice. The poor dare not expect justice at the courts because he has no money to hire reputable lawyers to defend them or bribe their way through.

A case in point is “the two-year undercover investigation in the Judiciary in Ghana conducted by Anas Aremeyaw Anas and brought out audio and video evidence of corruption taking place. Following the exposé, 22 circuit courtjudges and magistrates were suspended and 12 High Court judges were interdicted and later some of them sacked.⁴⁷

In a recent doctoral research conducted among some selected Churches in Ejisu Juaben Municipality some Christians expressed the view that some Christian resort to the use of curses to correct or put right some injustices meted out to them.

Table 1.1 Respondents’ views on some elements that draw some Christians to African Traditional Religion: “Some Christians are afraid of curses more than God.”

Responses	Frequency (n)	Frequency II (n2)	Percent age (%)	Percentage II (% 2)
I strongly disagree	36	76	9.7	20.5
Disagree	40		10.8	
Neither agree nor disagree	21	21	5.6	5.6
I agree	165	275	44.4	74
I strongly agree	110		29.6	
Total	372	372	100	100
Missing Number	5	5		

Source: Field Survey 2017

Table 1.1 shows that out of 372 respondents, 275 (74%) agreed that some Christians are afraid of curses more than God while 76 (20.5%) disagreed. Five (5) respondents did not

⁴⁵ Sarpong, *Justice and Development*, 26

⁴⁶ Thaddaeus Ter Terhembe “Justice delayed is Justice Denied” in *The Gadfly Philosophical Magazine* vol. 3 No. 2 (Jos: St. Augustine’s Major Seminary 1989/90), 35-36

⁴⁷ en.wikipedia.org/wiki/2015_Ghana_Judiciary_scandal. Accessed 28th August 2019.

answer this question. This observation is supported by each of the denominations surveyed. There were 31.4% versus 5.7% of Roman Catholics, 23.1% versus 9.9% of Methodists and 19.4% versus 4.9% of Pentecostals who agreed that some Christians are afraid of curses more than God.

In the same research study, it was realised that 26.4% versus 10.2% of Roman Catholics, 24.5% versus 7.6% of Methodists and 17.8% versus 6.2% of Pentecostals believe in curses.

Many Christians today have no qualms cursing their neighbours or fellow Christians when they are angry or are fighting with someone or someone lies about them or steals their property. When the researcher asked interviewees why Christians invoke curses on each other, some of them answered:

Some Christians pronounce curses on others in anger; to avoid shame; to protect their good name when accused of something they have not done; when people steal their properties; when it becomes known that their wives or husbands are not faithful to them; when they are accused falsely; when their properties are taken unlawfully; when they feel cheated; faith not solid; pressure from outside, total force; etc.

Other interviewees also observed that some Christians pronounce curses on others “For the dispense of justice; to establish the truth; to exonerate themselves when falsely accused; out of mere hatred for the other; when they are offended; when they lose their property; when a lie is told about them.”

It is interesting to note that even in the twenty-first century of Ghana’s judiciary development, when every District or Municipal Assembly has a judicial court of law, when judges, lawyers, and traditional chiefs dispense justice to those who are unjustly treated, some Christians still resort to the use of curses instead of the judicial system (traditional, civil or ecclesiastical) because as some interviewees said they do not trust the court system, whether traditional, civil or ecclesiastical because some of them are corrupt and unjust in the way they dispense justice to the poor and the needy in society who resort to them to dispense justice. Some interviewees believe that the justice system in Ghana belongs to the rich and the highest bidder. The rich get away with the law while the poor and innocent persons suffer or languish in jail. Some of the respondents answered,

They want instant justice since the traditional courts tend to delay in the dispensing of justice. The Church laws while seeking justice calls for tempering justice with mercy and they are often not prepared to show mercy in dispensing justice.

Others expressed these sentiments: “some Christians resort to the use of curses instead of using the courts (traditional, civil

or Church) because the courts are slow, expensive and sometimes corrupt.” Still others believe, “it is due to the fact that justice is sometimes not obtained from the court systems,” or “the complications in the court system.” Furthermore, an interviewee responded:

Traditional religious practitioners have the concept that each of the gods is either benevolent or malevolent. Crisis for them results from the work of malevolent forces and benevolent forces must be consulted for help. Some Christians are still influenced by this mindset and in time of difficulties they seek assistance from forces that are inclined to help. They tend to be pragmatic.

Many frustrated Christians and non-Christians resort to the use of curses. The researcher had observed in recent times that there are increasing number of people cursing each other instead of resorting to traditional courts. Some interviewees the researcher interacted with believed it was

partly because they wanted rapid results. If they take it to the chief it may drag for some time and they may end up paying something. They may be asked to pay something. Their whole understanding of Christianity is deficient. Christianity talks about forgiveness. If you offend them, the only way is to revenge and to invoke a curse on you. So, there is a lot of education that needs to be done.

However, all is not lost. Kwadwo Appiagyei-Atua in a report titled, “Ghana – Justice Sector and the Rule of Law” said,

“In addition to being an oasis of peace and stable institutions in a region marred in political turmoil and social unrest, Ghana has steadily increased respect of the rule of law over the last fifteen years. The judiciary has enjoyed a considerable level of independence and the law is generally obeyed by representatives of the executive branch. Ghana has also made considerable progress in the promotion and protection of human rights, notably through institutions tasked with addressing the legacy of human rights violations from previous military regimes and ongoing abuses today.⁴⁸

X. CONCLUSION

The writer concludes that there is much to be desired. There is much to be done. One of the challenges that need immediate attention is the need to expand “access to justice to the

majority of Ghanaians by increasing support for legal aid and for extrajudicial dispute resolution mechanisms, while also providing the formal judicial system with adequate capacity to administer justice.⁴⁹ Secondly, we need to remove the delays and financial barriers to accessing justice and increase the number of fast-track courts across the country, expose and shame bribe-taking officials in the court system. Delays in civil court proceedings should be a thing of the past and access to legal aid and paralegal services to the poor, the needy and the vulnerable people in our society. We also need to simplify the means by which successful litigants recover property or monetary compensations. Lastly, we need to train more Alternative Dispute Resolution personnel to help with the resolution of minor cases at little or no cost.

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⁴⁸Kwadwo Appiagyei-Atua, “Ghana – Justice Sector and the Rule of Law” (Johannesburg: The Open Society Initiative for West Africa, 2007) accessed on 26/8/19.

⁴⁹Kwadwo Appiagyei-Atua, “Ghana – Justice Sector and the Rule of Law” (Johannesburg: The Open Society Initiative for West Africa, 2007) accessed on 26/8/19.